

West Virginia Emergency Response Commission
Annual Tier Two Filing Fee Worksheet
(Oil & Gas Extraction Storage Facilities)

Date of this fee payment _____

Calendar Year ending December 31, 2006

Company Name _____
Address _____
City _____ State _____
Zip _____ SIC 1311
County _____
Person completing worksheet: _____
Telephone () _____

Do not write in this box

Amount Paid _____

Check No. _____

Date of Check _____

I. FEE CALCULATION

Line A: Base Tier Two filing fee. A) \$25.00
Line B: Enter the total number of storage facilities for which you
are submitting Tier Two information. B) _____
Line C: Subtract 35 from the number listed on line B.
(If this number is less than 0, enter 0) C) _____
Line D: Multiply the number on line C _____ x \$10. D) _____
Line E: Add the amount on line D to line A. E) _____

II. LATE FEE

Line F: If your Tier Two information and filing fee is received after March 31,
you must pay a 20% late filing fee.

Multiply the amount on line E _____ x .20 F) _____

III. TOTAL FILING FEE DUE

Line G: Add line E and line F. (E + F = G) G) _____

Amount on line G is your company's annual Tier Two filing fee.

This worksheet & fee must be submitted with your Tier Two information by March 1

If you need assistance, please call (304) 558-5380

**Make checks payable to: West Virginia State Emergency Response Commission,
State Capitol Building, Room EB-80, Charleston, West Virginia, 25305**

Original - Return with payment to WVSERC

Copy - Retained by company

Legislative Rules Regarding Fees Applicable to Tier Two Report Annual Filing

9.1 All facilities required to submit hazardous chemical inventory forms or MSDS required by Sections 311 and 312 of Title III, 42 U.S.C. §§11021 and 11022, respectively, shall pay the fees set forth in this section. All fees collected shall be deposited into a subaccount of the SERC and may only be used for purposes authorized by W.Va. Code §15-5A-1 et seq.

9.2 A one-time emergency planning notification fee of one hundred (\$100) dollars shall be paid by a facility when it submits the emergency planning notification required under Sections 302 and 303 of Title III, 42 U.S.C. §§11002 and 11003.

9.3 Except as provided in Sections 9.6, 9.7, 9.8 and 9.9, an annual inventory fee of twenty-five (\$25) dollars shall be paid by a facility when it submits hazardous chemical inventory forms or MSDS as required under Sections 311 and 312 of Title III, 42 U.S.C. §§11021 and 11022

9.4 An owner or operator of a facility subject to inventory reporting which has present in excess of five hazardous chemicals in an amount equal to or above the threshold quantity shall pay an additional annual inventory filing fee of ten (\$10) dollars per hazardous chemical for each hazardous chemical in excess of five. This fee does not apply if the hazardous chemical reported on the hazardous chemical inventory form is also an extremely hazardous substance to which the additional annual inventory filing fee is imposed by Section 9.5 of this rule.

9.5 An owner or operator of a facility subject to inventory reporting shall pay an additional annual inventory filing fee of fifty (\$50) dollars per extremely hazardous substance for each extremely hazardous substance reported on the hazardous chemical inventory form

9.6 An owner or operator who is required to submit a hazardous chemical inventory form for not more than thirty-five oil and gas extraction storage facilities shall pay an annual fee of twenty-five (\$25) dollars.

9.7 An owner or operator who is required to submit a hazardous chemical inventory form for more than thirty-five oil and gas extraction storage facilities shall pay a base annual filing fee of twenty-five (\$25) dollars and an additional filing fee of ten (\$10) dollars for each facility in excess of thirty-five facilities.

9.8 An owner or operator of a retail gasoline dispensing facility that contains not more than ten tanks shall pay an annual filing fee of twenty-five (\$25) dollars.

9.9 An owner or operator of a retail gasoline dispensing facility of more than ten tanks shall pay an annual filing fee of twenty-five (\$25) dollars and five (\$5) dollars for each tank in excess of ten tanks.

9.10 An owner or operator of a facility, who is subject to this rule and who fails to submit the annual inventory filing fee by March thirty-first of each year shall pay to the SERC a late fee equal to twenty percent (20%) of the total fees due and owing the SERC.

9.11 All annual fees imposed by this Section 9 of this rule shall be payable to the SERC on or before the first day of March of each year.

9.12 In no event shall the total annual fees imposed on any one facility exceed the fees established under the provisions of W.Va. Code, §15-5A-5, exclusive of the late fee imposed by Section 9.10 of this rule.

9.13 A municipal corporation of this state which operates two or more facilities which are subject to the annual inventory filing fees imposed by this Section 9 may aggregate the fees for all such facilities and remit such fees with one reporting form as though all such facilities constituted a single facility.